

Co., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 4, 1911, from the State of Missouri into the State of Minnesota, of a quantity of so-called Fernet-Alpino Bitters which was misbranded. The product was labeled: "Fernet-Alpino Bitters de Louis Alpino Fernet-Alpino is made according to the old Milan formula and users of this bitters will find it far superior to the other fernets on the American market. The goods is bottled under my own supervision and I heartily recommend it to my friends and customers. Louis Alpino Alcohol by volume 45% Serial Number 5897."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Alcohol (per cent by volume), 32; sugar, caramel, water, and undetermined matter. Misbranding of the product was alleged in the information for the reason that it was stated on the labels on the bottles that there was contained therein 45 per cent of alcohol by volume, whereas, in truth and in fact, there was contained in the bottles 32 per cent of alcohol by volume, and said bottles and each of them so marked, labeled, and branded as aforesaid were further misbranded in that it was stated upon the labels and each of them that the goods were bottled under the supervision of Louis Alpino, which was false and misleading because the product was not bottled under the supervision of said Louis Alpino.

On November 14, 1912, the defendant company entered a plea of guilty to the information, and on June 27, 1913, the court imposed a fine of \$100 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 3, 1914.*

**2838. Adulteration of dried eggs. U. S. v. 15 Boxes of Dried Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 3628. S. No. 1335.)**

On or about March 30, 1912, the United States Attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 boxes of dried eggs, remaining unsold in the original unbroken packages and in possession of John D. Parsons, Albany, N. Y., alleging that the product had been shipped by C. H. Weaver & Co., Chicago, Ill., and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of filthy, decomposed, and putrid animal substances, and thereby was unfit for food.

On May 26, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and the costs of the proceeding, taxed at \$32.65, should be assessed against the said C. H. Weaver & Co.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 3, 1914.*

**2839. Adulteration and misbranding of nitroglycerin tablets. U. S. v. G. D. Searle & Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 3631. I. S. No. 1771-d.)**

On August 4, 1913, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against G. D. Searle & Co., a corporation, Chicago, Ill., alleging shipment by said company, on July 20, 1911, in violation of the Food and Drugs Act, from the State of Illinois into the State of Michigan, of a quantity of nitroglycerin tablets which were adulterated and misbranded. The product was labeled: "2000 tablets nitroglycerin 1/200 gr. \* \* \* Manufactured by G. D. Searle and Company, Pharmaceutical Chemists, Chicago. 382-3. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 2699, S. C. Brown."